

PROPOSED ORDINANCE NO. 64-2015

AN ORDINANCE TO CREATE A LAND BANK IN NASSAU COUNTY.

WHEREAS, this Legislature determines that vacant, abandoned and tax-delinquent properties are costly and present a danger to the health and safety of local residents and further, they reduce surrounding property values, spread blight and create havens for crime resulting in costs and loss of revenues to local government and discourage further investment; and

WHEREAS, the need exists to strengthen and revitalize Nassau County by solving the problems of vacant, abandoned and tax-delinquent property in a coordinated manner and to foster the development of such property to mitigate costs, increase property values and promote economic growth; and

WHEREAS, in July 2011, the Governor of the State of New York signed into law the, Chapter 257 of the Laws of 2011, permitting certain municipalities to create New York State Land Banks upon approval by the New York State Empire State Development Corporation; and

WHEREAS, Article 16 of the New York State Not-for-Profit Corporation Law (the “Land Bank Act”) empowers the County Legislature of Nassau County to authorize the creation of a Land Bank in Nassau County; now, therefore,

BE IT ORDAINED BY THE COUNTY LEGISLATURE OF NASSAU COUNTY,

Section 1. The County Legislature of Nassau County hereby authorizes, empowers and directs the Nassau County to take all steps necessary to create and cause the incorporation of not-for-profit Nassau County Land Bank Corporation pursuant to

the Land Bank Act. The New York State Land Bank for Nassau County shall be named the “Nassau County Land Bank Corporation.”

Section 2. The purpose of Nassau County Land Bank Corporation is to direct funds to positive purposes that have the effect of decreasing the numbers of vacant, abandoned and tax-delinquent properties, revitalizing Nassau County communities and increasing the tax rolls to the benefit of all its citizens.

Section 3. Board of Directors

(a) The initial Board of Directors (the “Board”) of the Corporation shall consist of five members as follows:

- i. Edward H. Ward, Deputy County Executive
- ii. _____, to be recommended by the Presiding Officer.
- iii. _____, to be recommended by the Minority Leader.
- iv. Christopher Leimone, Deputy County Attorney
- v. John Sarcone, Director of the Office of Housing and Community Development

(b) The members of the Board shall serve staggered terms varying from one to three years and shall be appointed as follows:

- i. One Director shall be appointed by the County Executive. This shall initially be a three year term and will be filled by Edward H. Ward.

- ii. One Director shall be appointed by the County Executive upon the recommendation of the Presiding Officer. This shall initially be a one year term and will be filled by .
- iii. One Director shall be appointed by the County Executive upon the recommendation of the Minority Leader. This shall initially be a one year term and will be filled by .
- iv. One Director shall be the County Attorney or his or her designee. This shall initially be a three year term and will be filled by Christopher Leimone.
- v. One Director shall be the Director of the Office of Housing and Community Development or his or her designee. This shall initially be two year term and will be filled by John Sarcone.

Section 3. Articles of Incorporation

The Certificate of Incorporation of the Nassau County Land Bank Corporation shall be filed, in substantially the same form as attached hereto, with the New York State Department of State upon approval by the New York State Empire State Development Corporation of the application of the Nassau County Land Bank Corporation pursuant to the Land Bank Act.

Section 4. Severability.

If any part of or provision of this Ordinance or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction,

such judgment shall be confined in its operation to the part of or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Ordinance, or the application thereof to either persons or circumstances.

Section 5. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

Section 6. This ordinance shall take effect immediately.

